

# Official Minutes for Webb County Commissioners Court Meeting

Monday, December 12, 2005 at 1:00 PM  
and continuing Tuesday, December 13, 2005 at 1:00 PM  
(Approved 01-09-2006)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 9<sup>th</sup> of December 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3      Pledge of Allegiance – Led by all
- Item No. 4      Approval of minutes - October 11, 2005

Cmr. Gutierrez motioned to approve the minutes as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5      Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, was present to address the court. He stated that the unaudited General Fund Balance was \$8.874 million (15.28%) and would possibly go up to \$9.1 million after the audit. He stated that the jail's revenues continue to be below the budgeted amount but that the expenditures are also below the budgeted amount. He stated that one reason for the low revenues is the U.S. Marshall inmates were budgeted at a per diem rate of \$61.19 but the county was only being paid \$47. Mr. Rick Flores, County Sheriff, advised the court that a study done to back up the request for an increase in per diem fees had been sent to the U.S. Marshall's but that there has been no response. Cmr. Gutierrez inquired about \$138 thousand that has been paid to Frio County for the housing of an average of 56 inmates. Mr. Leo

Flores stated that this expenditure was not budgeted and that initial plan was to send these inmates to Frio County to free up beds for federal (U.S. Marshall) inmates for which the county expected to receive a higher per diem rate. Sheriff Flores stated that as per negotiations with the U.S. Marshall's, federal inmates needed to be kept separate from state inmates so the second floor was dedicated to those inmates. He stated that the jail is overcrowded and has outgrown the county's needs. Mr. Leo Flores also stated that page 28 shows that there are some travel funds that exceeded the travel expenses that have not been returned as per county policy since March 2005 and requested the court's assistance in getting these monies back. Mr. Homero Ramirez, County Attorney, stated that he would present an item at the next meeting to begin collection proceedings for these funds.

Comr. Gutierrez motioned to accept the County Auditor's Report as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

#### Item No. 7      Public Comment

Ms. Maricela Bocanegra, Headstart Policy Council president, was present to address the court. She thanked the court for their continued support of the program. She thanked Comr. Sciaraffa for organizing the Christmas party for the children of Headstart and stated that it was the first of its kind. She thanked Judge Bruni for sponsoring the Clown Bolitas performance. She thanked Comr. Gutierrez, Comr. Garza, Comr. Cortez-Brunner and County Clerk Margie Ibarra for helping out at the party.

Ms. Aliza Oliveros, Headstart Director, thanked the court and stated that a lot of effort was put into this party but that it was well worth it.

#### Item No. 6      Communications

Comr. Sciaraffa stated that the Christmas Party for 1,200 Headstart children was a great event. He thanked the Laredo Police Department and Constable Ruben Reyes for their assistance in providing traffic control. He stated that he looked forward to doing this again next year.

Comr. Gutierrez stated that it was a great event and that it was a sight to behold to see so many children so happy to get an early Christmas gift. She stated that it took a lot of effort to coordinate this event and thanked Comr. Sciaraffa for allowing her to be a part of this event.

Comr. Garza congratulated Comr. Sciaraffa for the event and apologized for not being able to attend. He advised elected officials and department heads to exercise good judgment in allowing employees that are under the weather to go home to prevent having more employees become ill.

Comr. Cortez-Brunner congratulated Comr. Sciaraffa and stated that it was a very nice and touching program. She advised the court that she had seen an article in that Laredo Morning Times that stated that the proposed State Highway 69 from Houston to Laredo was being rerouted to the Rio Grande Valley and would bypass Laredo.

She stated that she would keep the court up to date on any new developments on this project.

**Item No. 7      Public Comment**

Mr. Anthony Peterson was present to address Item No. 12, No. 22, No. 27, No. 29 and No. 30. He stated that Item No. 12 should be approved since water is an essential commodity. He stated that Item No. 22 is also a worthwhile endeavor. He stated that Item No. 27, No. 29 and No. 30 should also be approved since the staff has done a great job in streamlining the processing of inmates.

Mr. Jesus Sanchez was present to address Item No. 30. He stated that he was not against the Sheriff but was concerned about the number of credit cards being requested as well as the possibility of abuse. He stated that a lot of problems can occur with the use of county issued credit cards

**Item No. 8      Recognition of Sgt. Tomas Sanchez, of the 850th Ordinance Company for the U.S. Army Reserve located in Laredo, Texas. Sgt. Sanchez served in "Operation Iraqi Freedom" from August 23, 2004 to December 3, 2005. Sgt. Sanchez is an employee of Webb County Utilities Department**

Judge Bruni stated that it was an honor to have Sgt. Tomas Sanchez present before the court. He stated that Sgt. Sanchez is a very brave person to go to war to fight for the freedom of others. He congratulated Sgt. Sanchez for serving his country and for being home with his family and friends. Mr. Tomas Rodriguez, County Engineer, stated that he is very proud of Sgt. Sanchez and glad that he is home safe and sound. He stated that his family went through many hardships while he was shipped out.

**Item No. 9      Report regarding City of Laredo's termination of lease agreement at present JJAEP location with discussion and possible action to direct staff to conduct a feasibility study of modifying the present juvenile detention facilities located on Chicago Street so as to accommodate the JJAEP summer program, and to consider the feasibility of alternative locations for the same, and any other matters incident thereto**

Ms. Melissa Mojica, Juvenile Department director, was present to address the court. She stated that they are currently looking at alternate sites to relocate but that they will be asking for an extension to be able to finish out the school year. She stated that there are city ordinances and space restrictions that the new site must meet. She stated that the city has offered the use of an adjacent site. Cmr. Gutierrez advised Ms. Mojica to look into the possibility of relocating to the juvenile detention center or a possible vacant county site since they are modular buildings. Cmr. Cortez-Brunner recommended possibly placing the buildings at the Youth Village site as it was originally planned. Ms. Mojica stated that the only concern is that there are no water or sewer lines at the proposed Youth Village site.

Cmr. Gutierrez motioned to have Ms. Mojica continue working with the Juvenile Board on possible sites. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Report by legal staff regarding the current litigation with the City of Laredo regarding the Fifth International Bridge and the County's proposed response to the recent adverse ruling by the 3<sup>rd</sup> Court of appeals in favor to the City of Laredo, with discussion and possible action to retain the services of legal counsel as necessary to effectively prosecute appropriate appellate and trial responses, and any other matters incident thereto. Closed session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Item was deferred to end of meeting with other Executive Session items.

- Item No. 11 Status report on county efforts directed at repairs on the Lake Casa Blanca Dam, status of communications with TX DOT, with discussion and possible action to direct staff to take measures as necessary to address concerns raised by the TX DOT analysis of the dam.

Mr. Tomas Rodriguez, County Engineer, stated that the scope of services was sent to Purchasing on December 5<sup>th</sup> and are posted for opening on January 12<sup>th</sup>.

- Item No. 12 Discussion and possible action to enter into a contract with Richardson & Dunn d/b/a J&S Water Wells for Test Drilling and Production Well on Webb County School Lands (off Texas State Highway 44) to a base depth of 2,800 feet for an approximate amount of SIX HUNDRED EIGHTY THOUSAND SIX HUNDRED EIGHTY-SEVEN DOLLARS (\$680,687.00) any matters incident thereto, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 27, No. 28, No. 29, No. 40 and No. 31. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, requested that the court go back to Item No. 10 since out of town counsel was present to address the court in Executive Session.

Item No. 27      Discussion and possible action to apply for an Operation Linebacker grant award from the Criminal Justice Division Office of the Governor in the amount of \$367,500 and authorizing the County Judge to act as the County's authorized official. This grant requires no match and thus is at no cost to the County.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 28      Discussion and possible action of approval to grant County Auditor, authority to expend funds from the South Texas HIDTA Laredo Initiative for FY 2005, effective January 1, 2006 and to end on December 31, 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 29      Discussion and possible action to enter into an inter-local agreement between the city of Laredo and the county of Webb regarding charging a processing fee for "city arrested prisoners."

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Rick Flores, County Sheriff, stated that he has met with several City Councilmen as well as the City Manager in regards to this item. He stated that they are currently looking for the funding necessary for this service. He stated that this service needs to be paid for since several city inmates stay for 5, 10, 15 or even 30 days and the city is not being charged a per diem rate. He stated that they would be charged a processing fee that is modeled after the agreement between El Paso County and the city of El Paso. He stated that approximately 95% of arrestees are city arrestees while the rest are school district, DPS and county. He stated that the original processing fee was going to be \$100 per person but was negotiated to \$70 for this fiscal year and \$100 for the next three years. He stated that the city averages 35-40 arrestees per day. He stated that other counties charge the city a per diem rate but that for now will only charge the processing fee.

Motion carried 5-0 by unanimous consent.

Item No. 30      Discussion and possible action for issuance of five credit cards for meals, fuel and costs directly related to transportation of prisoners from account no. 001-2060-5605 (SPECIAL TRAVEL).

Comr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Mr. Rick Flores, County Sheriff, stated that these credit cards will be used strictly for travel related to the transportation of prisoners and will be monitored by the Comptroller. He stated that there have been times when emergencies arise when traveling with prisoners. Comr. Garza stated that he was concerned about the potential for abuse and inquired about the policy in place to monitor the expenses. Sheriff Flores stated that the State of Texas has a policy in place for the use of state issued credit cards and this policy will be implemented for his department. Comr. Garza stated that it has been county policy to not issue credit cards due to the possibility of abuse. Comr. Cortez-Brunner stated that this is desperately needed but inquired about the possibility of issuing only 1 or 2 cards and increasing the number in the future. Mr. Anthony Winterroth, Sheriff's Department, stated that there are usually 4 – 5 vehicles out transporting inmates at the same time and the cards are needed for each one. He stated that there have been instances where he has had to give his own credit card to employees in the event of an emergency and he has had to pay for interest charges out of his own pocket. Sheriff Flores stated that he is not asking for credit cards for his entire department but only for one. He stated that the records will be audited by the County Auditor's department. He stated that the employees will continue to follow the per diem rate for meals and will have to pay back if they go over. Mr. Leo Flores, County Auditor, stated that he has discussed this with the Sheriff and the usage will be monitored closely. He suggested getting the cards from Commerce Bank since they are the county's depository bank.

Motion carried 5-0 by unanimous consent.

Item No. 31      Discussion and possible action to approve the following change for slot no. 511 and 545, effective December 12, 2005. The salary increase is equal to the salary decrease and the amount of personnel costs budgeted for fiscal year 2005-2006 remains unchanged.

Comr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Sheriff Flores stated that the grant writer is a non bargaining slot and the officer is a bargaining slot. Comr. Gutierrez stated that her concern was that other Officers III / IV are not being paid the same. Mr. J.J. Gonzalez, Sheriff's Department, stated that this employee is now a supervisor and should not be shown as an Officer III / IV but as an Officer / Supervisor which is equivalent to a Sergeant. Mr. Leo Flores stated that though they are within the budget, the changes are still budget amendments. Mr. Raul Casso, Chief of Staff, stated that almost every department wanted to do what the Sheriff is doing today by decreasing some slots to increase others. He stated that every department was told no and that this type of change is discouraged at the staff level. Comr. Sciaraffa stated that the court would need to be prepared for other departments to come before the court to request similar reclassifications. Comr. Gutierrez stated that it was important to allow elected officials and department heads to assess their department's needs and reclassify as needed. Sheriff Flores

stated that as an elected official, he comes before the court to advise them of what he is doing and only requests the same respect from the court that he gives them.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session for Item No. 10, No. 20 and No. 53. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

#### EXECUTIVE SESSION (3:01 PM to 4:37 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

**Item No. 10** Report by legal staff regarding the current litigation with the City of Laredo regarding the Fifth International Bridge and the County's proposed response to the recent adverse ruling by the 3<sup>rd</sup> Court of appeals in favor to the City of Laredo, with discussion and possible action to retain the services of legal counsel as necessary to effectively prosecute appropriate appellate and trial responses, and any other matters incident thereto. Closed session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, advised the court that this was not a lawsuit but merely a complaint that was filed. He recommended authorizing the county's outside counsel to file a motion for a rehearing and to take any other steps necessary.

Judge Bruni motioned to approve the County Attorney's recommendation. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 20** Discussion and possible action on the appraisal and bid process involving the sale of the former Detention Center Site (Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071(Consultation with Attorney) and Section 551.072 (Deliberation Regarding Real Property)).

Cmr. Gutierrez stated that she felt that the court should stop the bid process for this item.

Cmr. Gutierrez motioned to stop the bid process. Cmr. Garza seconded the motion.

Motion failed 2-3 with Judge Bruni, Cmr. Sciaraffa and Cmr. Cortez-Brunner voting against.

Item No. 53      Discussion and possible action concerning EEOC charge no. 360-2006-00127 filed by former Webb County Road & Bridge Superintendent, Jose Luis Rodriguez. Closed session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, advised the court that they could authorize his office to go forward with the steps necessary to begin the mediation process or take no action in regards to going forward with the mediation process.

Cmr. Gutierrez motioned to not follow the mediation process. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13      Status report on the extension of utilities, especially with regards to water, to the Colonias located on highway 359, especially with regards to Colonia D-5, with discussion and possible action to direct staff to take measures as necessary to expedite the process.

Item No. 14      Status report on construction of new Webb County radio tower, with discussion and possible action to direct staff to take measures as necessary to complete the effort, and any other matters incident thereto

Item No. 15      Status report on Webb County roads in Webb County Colonias, with discussion and possible action to direct staff to take measures as necessary to maintain any such roads in operable condition during the holiday season, and thereafter as necessary, and any other matters incident thereto.

Item No. 17      Status Report from Turner Collie & Braden or the County Engineer on the Water and Sewer Improvement Projects in the Colonias located on Hwy 359, FM 1472 (Mines Road), and FM 3338 (Las Tiendas Rd).

Mr. Tomas Rodriguez, County Engineer, stated that there were some pending ROW's that needed to be acquired in order to move the project forward. He stated that the contract for Tanquecitos was awarded. He stated that the city is the project manager on this project. Cmr. Gutierrez stated that the county has worked diligently on this project and done its part and that the city needed to do its part.

Cmr. Gutierrez motioned to table Item No. 13, No. 14, No. 15 and No. 17. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Sciaraffa not present for voting.



- Item No. 16      Discussion and possible action to accept a \$3600.00 donation from Representative Joe and Mrs. Nancy Crabb, Mr. and Mrs. Terry and Kathy Stierman for Internet services for the Rio Bravo and El Cenizo Community Centers.

Item was deferred until Cmr. Sciaraffa returned.

- Item No. 18      Report on the meeting with City Manager Larry Dovalina and staff regarding the location of the proposed County Morgue within proximity to the Laredo Medical Center and University of Texas Health Science Center.

Cmr. Gutierrez stated that she has met with the City Manager and staff regarding the possibility of a land swap for city land for the location of the proposed County morgue. Judge Bruni stated that he has met with the private sector and that there are several that are anxious to build a morgue. He stated that the county might be able to save money by having the private sector build the morgue and then going out for RFP's for the performance of autopsies. Cmr. Gutierrez stated that she was concerned about the privatization of necessary services.

- Item No. 19      Discussion and possible action to approve a correction in Webb County's 2005- 2006 Budget for Department 001-0700 for four (4) new teller slots at an annual salary of \$26,000 plus fringe benefits. The effective date for three (3) teller slots in October 1, 2005 and the fourth slot to become effective January 1, 2006

- Item No. 26      Discussion and possible action to seek clarification on positions funded for the Tax Department in the FY 2005-2006 budget.

Cmr. Gutierrez motioned to take Item No. 19 together with Item No. 26. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Carlos Villarreal, Executive Administrator, stated that this is not a correction but rather a clarification. He stated that the salary will remain at \$26,000 but the fringe benefits are a bit higher than stated during the budget hearing. Cmr. Gutierrez stated that due to the delay in hiring staff for these slots, there should be sufficient savings to cover the difference. Mr. Leo Flores, County Auditor, stated that in the proposed budget, Ms. Barrera requested six slots at \$11.52 per hour but at the budget workshop, Ms. Barrera requested four slots at \$12.41 per hour. He stated that this item is not to correct but amend the budget.

Cmr. Sciaraffa motioned to approve Item No. 19 as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21      Discussion and possible action authorizing County Staff to negotiate a third (30) year lease with the Diocese of Laredo for the purpose of constructing a Community Center on the Santa Teresita Mission ten-acre-tract.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22      Discussion and possible action to approve a disbursement of Ten Thousand Eight Hundred Dollars (\$10,800.00) from Account No. 001-2410-3 "Juror Contribution/Child Advocacy," to the Children's Advocacy Center of Laredo-Webb County for their "Safe Heaven" program and any other matters incident thereto.

Cmr. Gutierrez motioned to table Item No. 22. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23      Discussion and possible to accept a donation in the amount of One Hundred and Fifty Dollars (\$150.00) from Medina Electric Cooperative Inc., for the Bruni Community Center Account # 001-2100-04.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24      Discussion and possible action to accept a donation in the amount of One Hundred and Fifty Dollars (\$150.00) from Foster Engineering for the Self Help Center; Fund 506-2100.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16      Discussion and possible action to accept a \$3600.00 donation from Representative Joe and Mrs. Nancy Crabb, Mr. and Mrs. Terry and Kathy Stierman for Internet services for the Rio Bravo and El Cenizo Community Centers.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25      Discussion and possible action to cancel the regularly scheduled meeting for December 27, 2005.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32      Discussion and possible action to approve and adopt the County's Operational General Order for FY 2005-2006 as exhibited in the back-up information.

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33      Discussion and possible action the line item transfer made by the County Auditor, authorized by Commissioners Court on October 11, 2005, as shown as back-up information to this item.

Mr. Leo Flores, County Auditor, stated that the item should read "Discussion and possible action to ratify the line item transfer ....."

Cmr. Gutierrez motioned to approve item with the correction stated. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34      Discussion and Possible Action of approval to grant county Auditor, authority to expend funds from the Community Services Block Grant (CSBG) and Comprehensive Energy Assistance Grant (CEAP), effective January 1, 2006, pending the receipt of all required documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35      Discussion and possible action to ratify the submission of the proposed budget for the Comprehensive Energy Assistance Program (CEAP) to the Texas Department of Housing & Community Affairs (TDHCA), for FY- 2006, in the amount of \$361,067 and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36      Discussion and Possible Action to modify slot # 1556 from (Driver) to (Maintenance /Driver ) @ \$8.57/hr, Part -Time no benefits, for Rural Transportation Program, effective December 13, 2005 Funding comes from Fund 980-4200-5001. No Impact on General Fund.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37      Discussion and possible action to accept of 4 right of way, out of Los Altos Subdivision, 2 rights-of-way out of Tanquecitos I Subdivision, 3 rights-of-way out of San Carlos I Subdivision, 3 rights-of-way out of San Carlos II Subdivision, 1 right-of- way out of Ranchitos Los Centenarios Subdivision one (1) right-of-way out of Ranchitos Los Nopalitos Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38      Discussion and possible action to enter into a Provider Master Agreement with Digital Products of Delaware, Inc. d/b/a Digital Technologies 2000 for one (1) year (October 15, 2005 to October 14, 2006) for electronic monitoring services and equipment for Webb County Pre-Trial Services at an Active Day Charge per day "Unit In-Use" fee of THREE DOLLARS AND FIFTY CENTS (\$3.50) and a waiver protection fee of TWENTY-FIVE CENT (\$0.25) per unit in-use per day for up to fifteen (15) units and authorizing the County Judge to sign all relevant documents. [Requested by Pre-Trial Services, 001-2100-21 (Electronic Monitoring Fee)].

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39      Discussion and possible action to enter into Third Party Funding Agreements as Follow:  
Health and Welfare Fund:  
Gateway Community Health Center                      \$150,000.00  
General Fund:  
Marine Corp. League                                      \$ 5,000.00  
and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Cortez-Brunner inquired whether it was a conflict of interest to vote on this item if she had a relative that was employed at Gateway Community Health Center. Mr. Homero Ramirez, County Attorney, stated that it was not prohibited and that it was her choice whether to vote or not.

Motion carried 5-0 by unanimous consent.

- Item No. 40      Discussion and possible action to enter into a design build construction contract with C.G. Construction d/b/a/ CC Construction in the amount not to exceed FIFTYEIGHT THOUSAND FIVE HUNDRED TWENTY-THREE DOLLARS AND NINETY EIGHT CENTS (\$58,523.98) for the construction of a "Tool Library Warehouse" at the Self-Help Center located on Highway 359, and authorizing the Webb County Judge to execute all relevant documents. [Requested by Economic Development Department; Account # 697-8001-8707].

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41      Discussion and possible action on a resolution to submit a grant to the Texas Forest Service in the amount of \$108,000.00 with a County cash match of \$13,364.00 to be drawn from account #627-0300-3601, Interest Income Bond Series 2001, for the purchase of a large brush truck with a 1000-gallon tank for the Webb County Fire Service.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42      Discussion and possible action on a resolution to adopt the 2005 revision of the 2000-2010 Webb County Recreational Plan and to submit it to the Texas Parks and Wildlife Department as a preliminary

step to applying for grants to fund the eligible potential short term projects in the Plan.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Juan Vargas, Economic Development Director, stated that this list was composed by a committee appointed by the court and can be amended. He recommended moving up Project No. 18 to one of the top 5 projects since there are several grants available for this project but that the ranking that they have on this listing can affect whether or not it is awarded. Cmr. Cortez-Brunner requested that the construction of a Community Center at Los Botines and the possible construction of an 18 hole golf course (if land available) be included in this listing. Mr. Vargas stated that the project can be added at a later date. He stated that the list can be updated annually as long as the court is willing to designate the manpower.

Cmr. Sciaraffa motioned to table this item to give the court an opportunity to review the list. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Vargas stated that the list needs to be submitted at least 30 days before the grant submission date in March. Cmr. Sciaraffa recommended ranking a project from each precinct as the top ten projects.

Item No. 43      Discussion and Possible Action Authorizing the Purchasing Agent and County Engineer advertise for the services of cleaning cow manure from the "Tick Eradication Cattle Pens" next to the Agriculture Complex building on Hwy 59. Attached is letter from Bill Coble Jr.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44      Discussion and Possible Action Authorizing the transfer of funds for the Records Management Building Expansion Series 2000 Projects Fund 685.

FROM:	Fund 683	Interest Income	\$25,000.00
TO:	685-0116-8601	Construction in Progress	\$25,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45      Discussion and Possible Action Authorizing Change Order No. 2 to Gilbert Texas Construction, Inc. in the amount of \$12,864.00 for the

TXDOT Border Colonias Access Program El Cenizo Paving Project. The amended contract amount would be \$2,015,146.90 (\$2,002,282.90 + \$12,864.00).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46      Discussion and Possible Action Authorizing the Utilities Department to reclassify and make salary adjustments to the following Positions:  
Slot # 1299 Superintendent – Water to Superintendent – Water Distribution  
Salary From \$36,130.00 per year to \$35,741.00 per year  
Slot # 1307 Plant Operator II to Superintendent – Water Treatment  
Salary From \$24,963.00 per year to \$35,000.00 per year

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47      Discussion and possible action to authorize the following hourly pay rate increase of 0.51 cents to the General Repairs Person slot # 0035 and 0.75 cents to the Energy Management Technician slot # 0041 and \$1.00 dollar to the HVAC Crew Leader slot #2124 and to change the title from HVAC Crew Leader to HVAC Supervisor and to change the HVAC Supervisor from an hourly employee to a salary employee. The salary increases are equal to the salary decreases and the amount of personnel funds budgeted for fiscal year 2005-2006 remain unchanged.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48      Discussion and possible action to fill custodial slot #030 at \$8.60 per hour and charge to account# 001-0106-5001 payroll.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49      Discussion and possible action to authorize the Planning Department to fill the following positions:

Slot No. 010-0102-2055      Planner/Cartographer  
Slot No. 010-0102-1507      Planning Secretary

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50      Discussion and possible action to authorize the Purchasing Agent to solicit bids or dispose of salvage and surplus property as per Subchapter D. Disposition of Salvage or Surplus Property, Texas Local Government Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that the court has the option to relocate the property to the auctioneer to prepare for sale at auction or request sealed bids.

Cmr. Gutierrez motioned to request sealed bids. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51      Discussion and possible action to accept a donation in the amount of \$300.00 from Conoco Phillips for the Bruni Community Center "Back to School Blast"

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 52      Discussion and possible action to approve PACIFICARE as the "Medicare Prescription D" plan for county retirees (65 years of age and over) enrolled under the County Choice Silver drug benefit plan, and authorizing the County Judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 54      Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.